

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES, )  
 )  
Plaintiff, )  
 )  
vs. ) Case No.  
 ) 1:18-cv-05774-AT  
NANCY ZAK, CLAUD CLARK III, )  
ECOVEST CAPITAL, INC., ALAN N. )  
SOLON, ROBERT M. McCULLOUGH, )  
RALPH R. TEAL, JR., ) VOLUME 1  
 )  
Defendants. )

- - -

Videotaped deposition of ROBERT M.  
McCULLOUGH, taken pursuant to notice via  
videoconference at the law offices of Covington &  
Burling, 850 Tenth Street, N.W., Washington, D.C.,  
on Thursday, April 29, 2021, at 9:45 a.m., before  
Lorraine B. Marino, Registered Diplomate Reporter,  
Certified Realtime Reporter and Notary Public.

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**Exhibit**

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1 APPEARANCES: (via videoconference)

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McCullough and Teal

9 ALSO PRESENT: (via videoconference)

10 AMANDA REINKEN,  
11 Litigation Tech Case Manager

12 JOE TOWNSEND,  
Videographer

13 - - -

1 A. Yes, I see that.

2 Q. Were you ever asked this question by any  
3 financial advisor, customer or prospective  
4 customer?

5 A. Was I ever asked which question? There is  
6 three.

7 Q. Let's start with the first one: Does the  
8 promoter already own this land? Were you ever  
9 asked that question?

10 A. I don't recall specifically, but I think  
11 probably so.

12 Q. If you were asked that question today, how  
13 would you respond?

14 A. I would respond no. All of our  
15 transactions had the MIPA.

16 Q. What about the second question: If so,  
17 why share the wealth with other investors, as  
18 they don't need the cash to finance it? Were you  
19 ever asked that question?

20 A. Not that I am aware of.

21 Q. Sitting here today, if you were asked that  
22 question, how would you respond?